

Committee Room,
Austin, Texas, February 15, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and
compared

Senate bill No. 113, being "An
Act to amend Title XXII, Article
750, of the Revised Civil Statutes of
Texas, relating to counter claims,
providing that where the defendant
pleads any counter claim, the plaintiff
shall take notice thereof, and no cita-
tion thereon shall be necessary."

And find the same correctly en-
grossed. BARRETT, Chairman.

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Friday, February 17, 1905.

Senate met pursuant to adjourn-
ment, Lieutenant Governor Geo. D.
Neal in the chair.

Roll call, quorum present, the fol-
lowing Senators answering to their
names:

Barrett.	Holland.
Beaty.	Looney.
Brachfield.	Martin.
Chambers.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.
Faust.	Smith.
Glasscock.	Stafford.
Griggs.	Stokes.
Harbison.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

Absent.

Hale. Harper.
Hanger.

Absent—Excused.

Grinnan.

Prayer by the Chaplain, Rev. H. M.
Sears.

Pending the reading of the Journal
of yesterday, on motion of Senator
Skinner the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Hawkins offered the follow-
ing petition:

Breckinridge, Texas, Feb. 13, 1905.
To the Senate and House of Repre-
sentatives of the State of Texas.

Whereas, It has come to our knowl-
edge that a bill is now pending in the

Legislature of this State, having for
its purpose the creation of an addi-
tional Supreme Judicial District, to be
known as the Sixth Supreme Judicial
District of Texas (with court at Waco),
and that this county (Stephens), under
the provisions of said bill, is to be
transferred from the Second Supreme
Judicial District and made a part of
said new district, in the event said
bill is enacted into law, therefore we,
the undersigned citizens of Stephens
county, earnestly request the Senate
and House of Representatives to defeat
the passage of said measure because,

First—The business of the inferior
courts of this State can, under the
power of the Supreme Court to trans-
fer cases from one district to another,
be easily disposed of by the five Su-
preme Judicial Districts now in exist-
ence, and to create a new district
would simply be to place an additional
burden on the taxpayers of this State
by a useless expenditure of their
money.

Second—If the new district is created
then we earnestly request that Steph-
ens county be stricken out of the bill
and permitted to remain as it now is,
in the Second Supreme Judicial Dis-
trict.

Numerously signed.

(For committee reports see Appen-
dix.)

BILLS AND RESOLUTIONS.

By Senators Meachum and Stokes:

Senate bill No. 226, a bill to be en-
titled "An Act to amend Article 3698 of
Chapter 6, Title LXXIX, by fixing the
minimum salaries of penitentiary
guards of the State penitentiaries of
Texas."

Read first time, and referred to
Committee on Penitentiaries.

By Senator Terrell:

Senate bill No. 227, a bill to be en-
titled "An Act to amend Article 4542
of Title XCIV, of the Revised Statutes
of the State of Texas, of 1895, relating
to passenger fares to be charged by
railroads in Texas, and the amount of
baggage to be carried by such rail-
roads for each passenger, and provid-
ing an emergency."

Read first time, and referred to
the Committee on State Affairs.

By Senator Decker:

Senate bill No. 228, a bill to be en-
titled "An Act to define and prohibit
the offense of obtaining transportation
by common carriers of any property
at less than the established rates, and
to provide a penalty for such offense."

Read first time, and referred to
Committee on Internal Improvements.

Morning call concluded.

PENDING BUSINESS — SENATE
BILL NO 70.—T. & N. O. BILL.

The Chair laid before the Senate Senate bill No. 70—the T. & N. O. consolidation bill, action being on the pending amendment by Senator Glasscock.

Senator Glasscock, by unanimous consent, withdrew the amendment and offered the following amendment:

Amend Section 2, page 2, by adding to the said section the following: "Any such railroad company purchasing said line of railroad shall not create any additional indebtedness secured by lien against the line of railway so sold by said Texas and New Orleans Railroad Company for any greater amount than is now allowed, or which may hereafter be allowed by the Railroad Commission of Texas, under the provisions of the stock and bond law."

The amendment was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Beaty, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Barrett.	Hill.
Beaty.	Looney.
Brachfield.	Martin.
Chambers.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.
Faust.	Smith.
Glasscock.	Stafford.
Griggs.	Stokes.
Harbison.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Hale.	Harper.
Hanger.	Holland.

Absent—Excused.

Grinnan.

The bill was read third time and passed by the following vote:

Yeas—26.

Barrett.	Hill.
Beaty.	Looney.
Brachfield.	Martin.
Chambers.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.

Faust.	Smith.
Glasscock.	Stafford.
Griggs.	Stokes.
Harbison.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Hale.	Harper.
Hanger.	Holland.

Absent—Excused.

Grinnan.

Senator Beaty moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Twenty-ninth Legislature,
Austin, Texas, Feb. 17, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 9, a bill to be entitled "An Act to amend Title LXII, Chapters 4 and 5 of the Revised Civil Statutes of the State of Texas, relating to the proceedings of jury commissioners in the selection of jurors; providing for enlarging and extending the duties of the said commissioners; limiting the number of times which any citizen may be compelled to answer summons to a special venire facias; determining the manner in which said notice shall be given, etc.; also amending Title VIII, Chapter 2, of the Code of Criminal Procedure of the State of Texas so as to conform to the provisions of this act."

Senate bill No. 36, a bill to be entitled "An Act to authorize the Supreme Court and the several justices thereof to issue writs of habeas corpus in certain cases."

Senate bill No. 37, a bill to be entitled "An Act to amend Title XXX, Chapter 17, Article 1371, Revised Civil Statutes of Texas, providing for the amendment of motions for new trials, for hearing certain evidence thereon and prescribing when new trials may be granted, and also in regard to contempt proceedings."

Senate bill No. 62, a bill to be entitled "An Act to amend Article 34, Penal Code of Texas, permitting persons under the age of nine years to be punished with the offense of perjury," with amendments.

The House has adopted the Free

Conference Committee report on Senate bill No. 25.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

AMENDMENTS TO SENATE BILL
NO. 31 CONCURRED IN.

Senator Smith called up

Senate bill No. 31, a bill to be entitled "An Act authorizing the appointment of temporary guardians of minors and their estates, regulating their duties and requirements and the practice in relation thereto," with amendments,

And moved that the following House amendment be concurred in:

Amend by inserting in line 20 after the words "guardian of" the words "the person of."

The motion to concur prevailed.

(Senator Willacy in the chair.)

SENATE SUBSTITUTE HOUSE
BILL NO. 57—PASS-
AGE OF.

The Chair laid before the Senate, on second reading, Senate bill No. 49.

There was a majority and a minority committee report to the bill, and Senator Brachfield moved that the minority report, which recommended that a substitute bill be passed, be adopted.

Before action on the report Senator Brachfield yielded the floor to Senator Davidson, and,

On motion of Senator Davidson the pending order of business (Senate bill No. 49) was suspended, and the Senate took up, out of its order, Senate substitute House bill No. 57.

The Chair laid before the Senate, on second reading, House bill No. 57, action being on the substitute offered for the bill by Senators Davidson and Hill.

On motion of Senator Davidson the substitute for the bill was adopted.

Following is a caption of the substitute bill:

Senate substitute bill No. 57, a bill to be entitled "An Act to amend Section 1 of an act approved May 20, 1899, entitled 'An Act to prescribe the parties to and venue of suits against railroad corporations and assignees, trustees and receivers operating any railway over whose transportation lines, or parts thereof, any freight, baggage or other property has been carried during transportation,' so as to prescribe the parties to and the venue of suits against railroads, express or transportation companies, or

common carriers of any kind, or the assignee, lessee, trustee or receiver of any such, operating or doing business in this State, or having an agent or representative in this State, where any damage, loss or other cause of action arises out of the transportation or contract in relation to the carriage of passengers or freight, baggage or property, and providing for the apportionment of the damage recovered between the defendants, and providing additional means of obtaining service on non-resident corporations having agents in this State."

Senator Hill offered the following amendment:

Amend the bill as printed in the Journal, page 6, by striking out Section 1 and insert in lieu thereof the following:

Section 1. That whenever any passenger, freight, baggage or other property has been transported by two or more railroad companies, express companies, steamship or steamboat companies or common carriers, of any kind or name whatsoever, or by any assignee, lessee, trustee or receiver thereof, or partly by one or more such companies, or common carriers, and partly by one or more of any assignee, lessee, trustee or receiver thereof, operating or doing business as such common carrier in this State, suit for damage or loss or for any other cause of action arising out of such carriage, transportation or contract in relation thereto, may be brought against any one or all of such common carriers, assignees, lessees, trustees or receivers so operating or doing business in this State, or having an agent or representative in this State, in any court of competent jurisdiction in any county in which either of such common carriers, assignees, lessees, trustees or receivers who operates or does business, or has an agent or representative; provided, however, that if damages be recovered in such suits against more than one defendant, not partners in such carriage, transportation or contracts, the same shall, on request of either party, be apportioned between the defendants, by the verdict of the jury, or if no jury is demanded, then by the judgment of the court.

The amendment was adopted.

Senator Looney offered the following amendment:

Amend the substitute, Section 3, by striking out all after the words "foreign railway corporations," and insert in lieu thereof as follows: "Conductors who are engaged in handling trains and agents engaged in the sale of tickets or the making of contracts for the transportation of property as described in Section 2, of this act, are hereby designated as agents of said foreign

corporations or companies upon whom citation may be served."

The amendment was adopted.

Senator Looney offered the following amendment:

Amend Section 2, of the substitute, by striking out all after the words "State of Texas," and insert in lieu thereof as follows: "Or upon any agent who has an office in Texas, and who sells tickets or makes contracts for the transportation of passengers or property over any line of railway or part thereof, or steamship or steamboat of any such foreign corporation or company."

The amendment was adopted.

Senator Looney offered the following amendment:

Amend the caption of the substitute by inserting after the word "corporation," when it last appears in the caption, the words, "or companies."

The amendment was adopted.

The bill was read second time and ordered engrossed.

The substitute bill not having the emergency clause, and

On motion of Senator Davidson, the vote by which the bill was ordered engrossed was reconsidered.

Senator Hill offered the following amendment:

Amend the bill by inserting as section, the following emergency clause:

"Section 4. The fact that there is now no adequate law providing for the means of obtaining citation and providing for the venue in civil cases against domestic and foreign railway corporations, creates an imperative public necessity and an emergency exists which requires the suspension of the constitutional rule requiring all bills to be read on three days in each House, and it is enacted that such rule be and the same is hereby suspended, and this act shall take effect from and after its passage."

The amendment was adopted.

Senator Decker offered the following amendment.

Add after the word "property," line 26, the words "provided suit shall be brought in the county of the origin or destination of the shipment, or in the county where plaintiff resides, if it be a county where either of such carriers is so operated or receives or delivers freight, and if not then, in the nearest such county to the county of plaintiff's residence."

On motion of Senator Davidson the amendment was tabled by the following vote:

Yeas—22.

Barrett.	Holland.
Beaty.	Looney.
Brachfield.	Martin.

Chambers.	McKamy.
Davidson.	Meachum.
Faulk.	Paulus.
Faust.	Smith.
Glasscock.	Stokes.
Hawkins.	Stone.
Hicks.	Terrell.
Hill.	Willacy.

Nays—4.

Decker.	Harbison.
Griggs.	Skinner.

Absent.

Hale.	Harper.
Hanger.	Stafford.

Absent—Excused.

Grinnan.

Bill read second time and ordered engrossed. On motion of Senator Davidson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stafford.
Harbison.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Hale.	Hanger.
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Absent—Excused.

Grinnan.

The bill was read third time, and passed by the following vote:

Yeas—26.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Decker.	Meachum.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stafford.

Harbison.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Nays—1.

Stokes.

Absent.

Hale.	Harper.
Hanger.	

Absent—Excused.

Grinnan.

Senator Davidson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 60—NEPOTISM BILL—PASSAGE OF.

On motion of Senator Skinner, the pending order of business (Senate bill No. 49) was suspended, and the Senate took up, out of its order, Senate bill No. 60.

The Chair laid before the Senate, on third reading,

Senate bill No. 60, a bill to be entitled "An Act making it an offense punishable by fine and removal from office for any executive, legislative or judicial officer of the State, county, city or other municipal subdivision of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, positions, employment or duty in any department of the government of which executive, legislative or judicial officer may be a member; prohibiting the payment of any such ineligible person out of any public fund, and providing for quo warranto proceedings to oust such offending official and fixing the venue thereof."

The bill was read third time, and passed by the following vote:

Yeas—17.

Barrett.	Martin.
Brachfield.	McKamy.
Chambers.	Paulus.
Davidson.	Skinner.
Faulk.	Smith.
Glasscock.	Stokes.
Harbison.	Stone.
Hawkins.	Terrell.
Looney.	

Nays—10.

Beaty.	Hill.
Decker.	Holland.
Faust.	Meachum.

Griggs.	Stafford.
Hicks.	Willacy.

Absent.

Hale.	Harper.
Hanger.	

Absent—Excused.

Grinnan.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO 186—EL PASO CHARTER.

On motion of Senator Hill, the pending order of business (Senate bill No. 49) was suspended, and the Senate took up, out of its order, Senate bill No. 186.

The Chair laid before the Senate, on its second reading,

Senate bill No. 186, a bill to be entitled "An Act to amend the charter of the city of El Paso, entitled 'An Act to incorporate the city of El Paso and grant it a new charter, approved March 2, 1889, as amended by an Act entitled 'An Act to amend Sections 7 and 137, 138, 139, 140, 141 and 142 of an Act entitled 'An Act to grant a new charter to the city of El Paso,' became effective April 26, 1889, and the Acts amendatory thereof, relating to streets, alleys, sidewalks and other public improvements, and the levy and collection of a tax to pay therefor, and fixing the time of holding elections, passed at the regular session of the Twenty-sixth Legislature, and to provide a just and effective law for making necessary street improvements and paying the cost of the same, by adding to said city charter of the city of El Paso Section 148a, inclusive, and by repealing all laws and parts of laws in conflict with such added sections, and to declare an emergency."

Bill read second time and ordered engrossed. On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Barrett.	Holland.
Beaty.	Looney.
Brachfield.	Martin.
Chambers.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.

Faust.
Glasscock.
Griggs.
Harbison.
Hawkins.
Hicks.
Hill.

Smith.
Stafford.
Stokes.
Stone.
Terrell.
Willacy.

Absent.

Hale.
Hanger.

Harper.

Absent—Excused.

Grinnan.

The bill was read third time and passed by the following vote:

Yeas—24.

Barrett.
Beaty.
Brachfield.
Davidson.
Decker.
Faulk.
Faust.
Glasscock.
Griggs.
Hawkins.
Hicks.
Hill.

Holland.
Looney.
Martin.
McKamy.
Meachum.
Paulus.
Skinner.
Stafford.
Stokes.
Stone.
Terrell.
Willacy.

Present—Not Voting.

Smith.

Absent.

Chambers.
Hale.
Hanger.

Harbison.
Harper.

Absent—Excused.

Grinnan.

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 49—ASSUMED RISK BILL.

The Chair laid before the Senate, on its second reading, as pending business.

Senate bill No. 49, a bill to be entitled "An Act to prescribe the proof necessary to sustain a plea of assumed risk or contributory negligence when interposed by a person, corporation or receiver operating a railroad or street railway in any suit by a servant or employee."

The question being on the motion of Senator Brachfield to adopt the min-

ority committee report, which recommended the passage of a substitute bill.

The motion was lost by the following vote:

Yeas—10.

Barrett.
Brachfield.
Davidson.
Glasscock.
Harbison.

Hawkins.
Looney.
Martin.
Paulus.
Smith.

Nays—13.

Beaty.
Chambers.
Faulk.
Faust.
Griggs.
Hicks.
Hill.

McKamy.
Skinner.
Stafford.
Stokes.
Stone.
Willacy.

Present—Not Voting.

Terrell.

Absent.

Decker.
Hale.
Hanger.

Harper.
Holland.
Meachum.

Absent—Excused.

Grinnan.

Question then being on the majority report, which also recommended a substitute bill, the same was adopted.

Senator Skinner offered the following amendment:

Amend by inserting after the word "employee," in line 23, page 1, after the bill, the following: "Before receiving the injuries complained of."

The amendment was adopted.

Senator Skinner offered the following amendment:

Amend by adding the following after the word "same," in line 1, page 2, of the bill: "And provided, further, that when notice has been given as herein provided by one employee, any other employee using such machinery or appliance, or working with the crew using such machinery or appliance, at the time such notice is so given, shall be entitled to the benefit of such notice."

The amendment was adopted.

Amend the bill, after the word "notice," as follows: "Or notice to the employer or principal, as the term is used. In this law, in case of a railway company, given on behalf of the engineer, fireman, brakemen and porters of a railway train away from and between stations on trip or run, shall

be constituted by giving verbal notice to the conductor in charge of said train, and said notice to said conductor shall in law be notice to the railway company."

Senator Willacy offered the following amendment to the amendment:

Amend the amendment by adding the following: "Provided, that said servants or employes notify the master or proper officer of the master from the next, or nearest, telegraph station."

The amendment to the amendment was adopted and the amendment as amended was then adopted.

Senator Looney offered the following amendment:

Amend the bill by striking out in lines 13 and 14, Section 1, the following language: "Or carrying on any business, calling or occupation in which machinery of any kind is used," and insert in lieu thereof as follows: "A railroad or street railroad."

On motion of Senator Chambers, the amendment was tabled by the following vote:

Yeas—15.

Barrett.	Holland.
Beaty.	Meachum.
Chambers.	Skinner.
Faulk.	Stokes.
Faust.	Stone.
Griggs.	Terrell.
Hicks.	Willacy.
Hill.	

Nays—11.

Brachfield.	Martin.
Davidson.	McKamy.
Glasscock.	Paulus.
Harbison.	Smith.
Hawkins.	Stafford.
Looney.	

Present—Not Voting.

Decker.

Absent.

Hale.	Harper.
Hanger.	

Absent—Excused.

Grinnan.

Senator Glasscock offered the following amendment:

Amend the bill by adding after the word "telegraphing" wherever it occurs the words "or telephoning."

On motion of Senator Skinner the amendment was tabled.

Senator Brachfield offered the following amendment:

Amend by striking out the words "in writing" in line 23, page 1.

On motion of Senator Chambers the amendment was tabled by the following vote:

Yeas—13.

Beaty.	Hill.
Chambers.	Meachum.
Davidson.	Skinner.
Faulk.	Stokes.
Faust.	Stone.
Griggs.	Willacy.
Hicks.	

Nays—12.

Barrett.	Looney.
Brachfield.	Martin.
Decker.	McKamy.
Glasscock.	Paulus.
Harbison.	Smith.
Holland.	Terrell.

Present—Not Voting.

Stafford.

Absent.

Hale.	Harper.
Hanger.	Hawkins.

Absent—Excused.

Grinnan.

Senator Brachfield offered the following amendment:

Amend by adding after the word "notice" the following: "Provided that when the defect is known to the employer it shall not be necessary to give such notice."

Senator Chambers moved to table the amendment, but the motion was lost by the following vote:

Yeas—6.

Beaty.	Griggs.
Chambers.	Hill.
Faust.	Stone.

Nays—20.

Barrett.	Martin.
Brachfield.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.
Glasscock.	Smith.
Harbison.	Stafford.
Hicks.	Stokes.
Holland.	Terrell.
Looney.	Willacy.

Absent.

Hale.	Harper.
Hanger.	Hawkins.

Absent—Excused.

Grinnan.

Senator Faulk offered the following amendment to the amendment:

Amend the amendment by adding after the word "employer" the words "or conductor."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Brachfield offered the following amendment:

Amend by adding to Section 1 the following: "That all employers using dangerous machinery shall keep a book in which shall be kept all notices given of defective machinery or appliances and said book shall be open to the employes during office hours."

Senator Skinner moved to table the amended amendment.

The motion was lost.

Senator Glasscock offered the following amendment to the amended amendment:

Amend by adding to the amendment after the words "kept" the words "for inspection."

The amendment to the amendment was adopted.

Senator Faulk offered the following amendment to the amendment:

Amend the amendment by adding: "Provided, all original notices given shall be preserved by the party to whom they are directed delivered."

The amendment to the amendment was adopted.

Senator Griggs moved the previous question on the bill, the motion being duly seconded, and the question was so ordered.

Bill read second time and ordered engrossed.

On motion of Senator Brachfield the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Barrett.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Decker.	Paulus.
Faulk.	Skinner.
Faust.	Smith.
Glasscock.	Stafford.
Harbison.	Stokes.
Hicks.	Stone.
Hill.	Willacy.

Nays—3.

Beaty.	Meachum.
Griggs.	

Absent.

Hale.	Hawkins.
Hanger.	Terrell.
Harper.	

Absent—Excused.

Grinnan.

The bill was read third time, and passed by the following vote:

Yeas—23.

Barrett.	Holland.
Brachfield.	Martin.
Chambers.	McKamy.
Davidson.	Meachum.
Decker.	Paulus.
Faulk.	Skinner.
Faust.	Stafford.
Glasscock.	Stokes.
Griggs.	Stone.
Harbison.	Terrell.
Hicks.	Willacy.
Hill.	

Nays—3.

Beaty.	Smith.
Looney.	

Absent.

Hale.	Harper.
Hanger.	Hawkins.

Absent—Excused.

Grinnan.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

The motion to table prevailed.

AFTER RECESS.

THANKS FROM THE DAUGHTERS OF THE REPUBLIC.

Hon. George D. Neal, Lieutenant Governor.

Sir: I wish you would express to the Senators the thanks of the Daughters of the Republic, not only for the passage of the Alamo Purchase bill, but for the encouragement which they gave us from the beginning.

I need not tell you what happiness has come to us with the final success of our efforts. The Daughters of the Republic esteem it a proud privilege to have this sacred spot confided to their care, and the manner in which they dis-

charge the duty shall testify their appreciation. Sincerely,

CLARA DRISCOLL,
President and Treasurer Alamo Mission Fund Organization.

On motion of Senator Davidson the Senate recessed till 5 o'clock p. m.

REASONS FOR VOTING.

We vote "No" on the passage of the bill and assign the following reasons therefor:

The doctrine of assumed risks as defined and applied by our judiciary, we believe to be wholesome in its general application.

The increase and alarming destruction of human life, and personal injury received by passengers on our public transportation lines, and by the employees of companies operating the same, demand for the public safety, that this doctrine should be so modified as will reasonably lead to a higher degree of care upon the part of such companies in having and operating safe machinery, and which will give better protection to employees and the traveling public.

The bill affords little, if any, additional protection to either employees or the public upon the part of transportation companies, to which it should be confined. By including employees of individuals, as well as all private and public corporations using machinery, it is likely to do more harm than good. There is no necessity for a modification of the doctrine of assumed risks except as it applies to transportation companies.

SMITH.
LOONEY.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Neal. Senator Decker offered a committee report on Senate bill No. 215. (See appendix for report.)

SENATE BILL NO. 210.

Senator Griggs moved the pending order of business, Senate bill No. 134, be suspended, and the Senate take up, out of its order, Senate bill No. 210.

There was objection.

ADJOURNMENT.

Senator Skinner moved that the Senate adjourn till Tuesday morning at 10 o'clock.

Senator Smith moved that the Senate adjourn till Monday morning at 10 o'clock.

Action being on the longest time

first, the motion to adjourn till Tuesday morning at 10 o'clock prevailed.

APPENDIX.

Committee Room.

Austin, Texas, February 17, 1905.
Hon Geo. D. Neal, President of the Senate.

Sir: Your committee on Judicial Districts, to whom was referred Senate bill No. 223, "A Bill to be entitled An Act establishing the Eighteenth and Sixty-sixth Judicial Districts of the State of Texas, prescribing the times of holding the District Courts therein and providing for the appointment of a District Judge for the Sixty-sixth Judicial District and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PAULUS, Chairman.

Committee Room.

Austin, Texas, February 17, 1905.
Hon Geo. D. Neal, President of the Senate.

Sir: Your committee on Public Land and Land Office, to whom was referred Senate bill No. 42, a bill to be entitled "An Act to amend Sections 1, 2 and 3 of Chapter 125 of the Acts of the regular session of the Twenty-seventh Legislature, relating to the sale and purchase and manner of filing on State school and Asylum lands."

And also Senate bill No. 75, a bill to be entitled "An Act to amend Section 6 of Chapter 125, Act of April 19, 1901, relating to lessees preference right to purchase school land so as to extend the preference right to assignees."

Have had the same under consideration, and I am instructed to report them back to the Senate with the recommendation that they do not pass, but that the attached substitute do pass in lieu thereof.

HILL, Chairman.

S. S. B. Nos. 42 and 75, by Committee:

A bill to be entitled "An Act to amend Sections 1, 2 and 6, of Chapter 125, Acts of the regular session of the Twenty-seventh Legislature, relating to the sale and purchase and manner of filing on State school and asylum lands."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Sections 1, 2 and 6, of Chapter 125, of the Acts of the regular session of the Twenty-seventh Legislature, approved April 19, 1901, be and the same are hereby amended so as to hereafter read as follows.

Section 1. All surveyed public free school and asylum lands shall hereafter be sold in the following manner:

Between the 1st and 15th days of January, April, July and October, each year, after this act takes effect. The Commissioner of the General Land Office shall make out duplicate lists of all such lands that are subject to sale, giving description thereof and classification and appraisement of each tract. Lands classed as grazing shall not be sold for less than \$1.00 per acre, and lands classed as agricultural shall not be sold for less than \$2.00 per acre. All such lists shall be immediately sent to the County Clerk of the counties in which such lands are situated, or, if such lands situated in an unorganized county, then to the clerk of the county to which such unorganized county is attached for judicial purposes. The County Clerk shall at once post one or said lists on the Court House door and record the other in a well bound book kept for that purpose, which shall be open for public inspection. All lands upon which the lease will expire by the first Tuesday in January, April, July and October after said list is made shall be included in said lists, and no land now or hereafter leased and which lease is terminated by expiration or otherwise shall be sold until they have listed with the County Clerk the length of time herein provided.

The lands listed as herein provided shall thereafter be subject to sale on the first Tuesday in January, April, July and October after said listing to actual settlers only and in quantities not to exceed four sections of 640 acres each or its equivalent to each applicant.

Sec. 2. Any person desiring to purchase any of said land shall make a separate application for each tract applied for addressed to the Commissioner of the General Land Office, describing the land sought to be purchased. Each application shall be accompanied by the affidavit of the applicant that he desires to purchase the land for a home, and that he is not acting in collusion with others for the purpose of buying the land for any other person or corporation, and that no other person or corporation is interested directly or indirectly in the purchase thereof. He shall accompany said application with his obligation to the state, duly executed, binding himself to pay the State on the first day of November of each year thereafter until the whole purchase price is paid, one-fortieth of the aggregate price of said land, with interest at the rate of 3 per cent per annum of the whole unpaid purchase money, said interest shall also be payable on the first day of November of each year. Said application, oath and obligation shall be filed in office of the County Clerk of the county in which the land applied for is situated or to

the county to which said county is attached for judicial purposes, or where any tract of land is situated in two or more counties the Commissioner of the General Land Office shall designate in the list sent the respective counties in which the said land is partly situated, the county in which application shall be filed for the purchase thereof.

The county clerk shall not file any application to purchase until the applicant shall have deposited with him one-fortieth of the valuation fixed in said list. Upon receipt of said application, obligation and his first payment, and his fee as hereafter provided, the county clerk shall endorse officially on the application the date of the filing and record the same in a well-bound book, which shall be kept for that purpose, and whenever two or more applications for the same tract or part of tract of said land are filed with the clerk on the same day, the county clerk shall record the same but not forward either of said applications to the Commissioner of the General Land Office, nor the money accompanying the same to the State Treasurer until it shall be determined in the manner hereafter provided as to the person to whom same shall be awarded. In the event two or more persons file on the same day applications to perfect the same tract of land, the county clerk shall on the next day thereafter, by 12 o'clock m., on forms to be prescribed by the Commissioner of the General Land Office, post at the courthouse door a list of all tracts of land for the purchase of which more than one application was filed the day previous, giving the survey, certificate and block number, name of the original grantee and acres as shown by the classification and appraisement list filed in his office; and all persons desiring to purchase any of said land shall file with the clerk by 12 o'clock m. on the Thursday following said sale day his application and affidavit to purchase any of the said lands on which he desires to bid as hereinafter provided, and shall pay to said clerk one-fortieth of the appraised value of each tract on which he desires to build, together with one dollar filing fee to the clerk for each tract, and shall at the same time execute and deliver to the clerk his obligation as provided by law for the balance of the purchase money, leaving the amount blank, to be filled in after the bidding hereinafter provided, and the clerk shall, in a well-bound book to be known as the "School Land Sale Register," under the description of the survey applied for, enter the name of each applicant filing an application to

purchase the same, and thereafter, at 2 o'clock p. m. on said Thursday, said clerk shall, at the courthouse door, publicly offer said land for sale to the highest bidder so registering in the following manner: He shall call out the number of each survey as given in said register, and the name of each person who has filed an application to purchase the same, and thereupon each of said applicants shall hand to the clerk a written bid on forms of slips prescribed by the Commissioner of the General Land Office, giving the survey number, name of applicant and amount of bid, and the clerk shall call out distinctly the name of the applicant and amount of bid, and enter said bid in said register opposite the name of the applicant in column ruled to show the number of each bid, and any of said applicants desiring to raise the bid of himself or any other applicant shall hand in a written bid on slips as in the first instance, which shall be distinctly announced by the clerk and entered in the proper column in said register opposite the name of the applicant so bidding, and the land shall be awarded to the applicant thus offering the highest price therefor. The successful applicant shall, immediately after the bidding is closed, pay to the clerk an amount, in addition to the amount previously deposited by him, to make the first payment of one-fortieth of the price bid by him for each tract bid in by him, and should he fail to do so, all sums paid by him shall be forfeited to the State and shall be paid by the clerk to the State Treasurer and become a part of the available school fund; and any other tracts bid in by him at such sale shall be forfeited, together with the sums paid by him thereon.

All of the applications filed with the clerk shall be recorded by him, and, together with the bidding slips and a copy of so much of said register as shows the several bids, shall be forwarded to the Commissioner of the General Land Office, and he shall notify each applicant of the result and award the land to the highest bidder. If within thirty days from the bidding the commissioner is not notified by any of said applicants of an intention to contest said sale, he shall destroy said slips, and the copy of said register sent by the clerk with said register shall be evidence of the several bids made. When the Commissioner of the General Land Office notifies the successful applicant of the award to him he shall give him the price at which he purchased the land, and shall at the same time fill in the proper amount in his obligation. The sale

shall date from the day the application was filed with the clerk. The applicant shall have sixty days from the date of the sale within which to actually settle upon the land so purchased, and he shall, within thirty days after the expiration of said sixty days, file in the land office his affidavit that he has in good faith actually settled upon the land purchased by him, and when he has purchased more than one section he shall designate which is his home or center tract, and the additional lands thereto must be within the radius provided by law. Said proof of settlement shall be corroborated by at least two disinterested persons that said applicant has actually settled on said land, which corroborative affidavit shall be by persons residing in the county or vicinity in which said land is situated, and that they personally know the facts stated in said affidavit. For filing and recording each application and the transmitting to the Commissioner of the General Land Office, and the first payment to the State Treasurer, and all other services in connection with the sale of said land, the clerk shall be entitled to a fee of one dollar for each application, to be paid by the applicant at the time of filing said application. Should the applicant fail to make the affidavit and proof of settlement as herein provided within the time herein specified, the Commissioner of the General Land Office shall endorse that fact upon his application and immediately place the land upon the market on the next list sent out as herein provided, and all sums paid thereon shall be forfeited to the available school fund. All sums paid in by an unsuccessful applicant shall be, on demand, returned by the clerk to him.

Sec. 6. Leased lands upon which permanent or valuable improvements to the value of \$500 or more have been made shall be sold as provided in Sections 1 and 2 of this act, subject to the right of the original lessee or his assignees to take the same at the highest price offered therefor, or to be reimbursed therefor as herein provided. It shall be the duty of all lessees or their assignees to make to the Commissioner of the General Land Office at least ninety days before the expiration of their leases a sworn statement designating the tracts of land contained in their leases upon which permanent or valuable improvements have been made, together with the designation of such improvements when made, and the cost thereof, and thereupon and before any of said lands are listed for sale, as provided by Section 1 of this act, the Commissioner of

the General Land Office shall ascertain the reasonable value of such improvements as of the date of the expiration of such lease, and he shall notify the county clerk of the value of such improvements as found by him, and when any of said lands are bid in by any purchaser, if by any person other than said lessee or his assignee, such purchaser, in addition to the first payment of one-fortieth of the purchase price of said land, shall also deposit with the county clerk the value of such improvements, and the clerk shall notify the Commissioner of such deposit, and upon the award of said land the Commissioner of the General Land Office shall issue a certificate to the lessee or his assignee entitled to the money, and it shall be the duty of the clerk to pay over such money to the person entitled thereto upon surrender of said certificate, which shall be sent to the Commissioner and filed in the land office. The lessee or his assignees of such improved sections shall have the preference right to purchase the same at the highest price bid therefor; provided, they shall give notice to the Commissioner of the General Land Office at least thirty days prior to the expiration of such lease of his intention to exercise this preference right, which fact shall be noted on the list sent out, and providing further, that if the sections sought to be purchased under this preference right have each improvements upon them of a permanent nature of the value of \$500 or more, that then said section or sections need not be situated within the five mile radius fixed by law; provided, that in cases where lands have been or may be recovered by the State of Texas through suits brought under the provisions of the act of the first called session of the Twenty-seventh Legislature, approved September 3, 1901, the claimant or claimants under a Spanish land grant, against whom judgment was or may be rendered in favor of the State of Texas, such claimant or claimants shall have the preference right to purchase without actual settlement not to exceed four sections of such land for a period of ninety days after such land is classified and placed upon the market by the Commissioner of the General Land Office as provided by law; provided, this preference right shall only extend to those who were bona fide claimants of such land on or before January 1, 1905.

Committee Room,

Austin, Texas, February 17, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

House bill No. 56, a bill to be entitled "An Act to amend Articles 3335 and 3336 of Chapter 5, Title LXVI, of the Revised Civil Statutes of the State of Texas, relating to liens on progeny of live stock kept for the purposes of standing for profit, said articles being so amended as to create a preference lien on such progeny."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

Committee Room.

Austin, Tex., Feb. 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 215, a bill to be entitled "An Act to authorize the formation of domestic corporations for the purpose of transporting oil, gas or other mineral substances by the means of pipe lines, and declaring all corporations engaged in transporting oil from place to place for hire, as common carriers, and providing for the condemnation of private property to the uses of such corporations, and regulating their rate of transportation of such oil, gas or other mineral substances by said corporation, providing for the storage of the same, fixing the rates and toll and charges to be made for the storing of the same, and authorizing the condemnation of private property for all purposes incidental to the transporting and storing of said oil, granting them the right to establish, maintain and operate telephone and telegraph lines in connection with said business, to own, lease, purchase or charter steamboats, steamships or other vessels or water crafts for the purpose of conducting said business and providing against discrimination by said corporations and providing for penalties for violations of any of the regulations of this act. And clothing the Railway Commission of the State of Texas with authority to fix said rate of storage, regulating of giving certificates on oil received providing for their negotiability, and prohibiting the sale of oil in storage without owners' consent, and providing for monthly reports of oil received and on hand, and declaring a emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Majority Report.

Committee Room.

Austin, Tex., Feb. 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on State Af-

fairs, to whom was referred Senate bill No. 196, a bill to be entitled "An Act to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, Chapter 86, of the Acts of the Twenty-sixth Legislature, pages 138, 139, 140, 141, 142 and 143, approved April 19, 1899, entitled 'An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas, to define his duties, term of office, mode of qualifications and compensation; to abolish the office or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and to define the duties thereof; to make an appropriation for the salary of said Purchasing Agent; to provide for the appointment of two clerks for said Purchasing Agent, and to make appropriation for their salaries; to define offenses committed under the operation of this Act, and to provide penalties therefor,' and providing the mode of furnishing certain supplies to the various eleemosynary institutions of the State of Texas, with the emergency clause,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HOLLAND, Chairman.

Minority Report.

Committee Room.

Austin, Tex., Feb. 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: A minority of your committee on State Affairs, to whom was referred Senate bill No. 196, a bill to be entitled "An Act to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, Chapter 86, of the Acts of the Twenty-sixth Legislature, pages 138, 139, 140, 141, 142 and 143, approved April 19, 1899, entitled 'An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas, to define his duties, term of office, mode of qualifications and compensation; to abolish the office or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and to define the duties thereof; to make an appropriation for the salary of said Purchasing Agent; to provide for the appointment of two clerks for said Purchasing Agent, and to make ap-

propriation for their salaries; to define offenses committed under the operation of this Act, and to provide penalties therefor," and providing the mode of furnishing certain supplies to the various eleemosynary institutions of the State of Texas, with the emergency clause,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HAWKINS.
TERRELL.

Committee Room.

Austin, Texas, February 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 168, a bill to be entitled "An Act to amend an act passed at the special session of the Twenty-seventh Legislature, approved September 2, 1901, to create the Fifty-eighth Judicial District of the State of Texas by amending Section 8 of said act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HALE, Chairman.

Majority Report.

Committee Room.

Austin, Texas, February 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 104, a bill to be entitled "An Act to amend Articles 2989, 2993, and to repeal Article 2995, Title LVI of the Revised Civil Statutes of the State, relating to the granting of injunctions," and

Senate bill No. 26, a bill to be entitled "An Act to amend Article 2992, Title LVI, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report them back to the Senate with the recommendation that they do not pass.

HICKS, Chairman.

Minority Report.

Committee Room.

Austin, Texas, February 16, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 104, a bill to be entitled "An Act to amend Articles 2989, 2993, and to repeal Article 2995, Title LVI, of the Revised Civil Statutes of the State, relating to the granting of injunctions," and

Senate bill No. 26, a bill to be entitled "An Act to amend Article 2992, Title LVI, of the Revised Civil Statutes of the State of Texas."

A minority of which have had the same under consideration, and I am instructed to report them back to the Senate with the recommendation that they do not pass, but that the accompanying committee substitute bill pass in lieu thereof.

BRACHFIELD.
HILL.

Committee substitute bill Nos. 26 and 104, by minority of committee, a bill to be entitled "An Act regulating injunctions in local option elections and cases."

Be it enacted by the Legislature of the State of Texas:

No writ of injunction shall be granted unless the applicant therefor shall present his petition to the judge, verified by his affidavit taken before some officer authorized to administer oaths, and containing a plain and intelligible statement of the grounds for such relief; nor shall any judge grant any writ of injunction touching or in any way relating to an election declaring that the sale of intoxicating liquors in any county, justice precinct, city, town or subdivision of a county, is prohibited, unless such application or petition shall state that the judge in whose county or district the suit is brought is absent from his county or district, or is sick and unable to hear the same, or unless such judge shall refuse to act upon such application or petition for injunction, or unless such judge is disqualified to act upon the same, which disqualification must be fully set forth in the application or petition.

Majority Report.

Committee Room,
Austin, Texas, Feb. 16, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 130, a bill to be entitled "An Act to create and establish the Texas Library Commission, and making an appropriation therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HOLLAND, Chairman.

Minority Report.

Committee Room,
Austin, Texas, Feb. 16, 1905.
Hon. Geo. D. Neal, President of the Senate.
Sir: A minority of your Committee

on State Affairs, to whom was referred

Senate bill No. 130, a bill to be entitled "An Act to create and establish the Texas Library Commission, and making an appropriation therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HOLLAND, Chairman.
GRIGGS.
STONE.

Committee Room,
Austin, Texas, Feb. 17, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and

pared
Senate bill No. 70, being "An Act to authorize the Texas and New Orleans Railroad Company to sell the line of railroad now owned by it extending from the city of Dallas to Sabine Pass, with the franchises and other property thereunto appertaining, to any railroad company heretofore incorporated under the laws of this State which does not own or have under its control a parallel or competing line, or to any railroad company which may be hereafter incorporated under the laws of this State with power to operate a railroad between the city of Dallas and Sabine Pass, and to authorize any such railroad company to purchase, own and operate said line of railroad with the franchises and other property thereunto appertaining."

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1905.
Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 60, being "An Act making it an offense, punishable by fine and removal from office, for any executive, legislative or judicial officer of the State, county, city or other municipal subdivision of the State, to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department of the government of which executive, legislative or judicial officer may be a member, or any person so related to any other such officer in consideration of the appointment or

vote for the appointment by such other officer of any person so related to the officer making or voting for such appointment; prohibiting the payment of any such ineligible person out of any public fund, and providing for suitable punishment and removal from office for the violation of this Act, and fixing venue."

And find the same correctly engrossed.

BARRETT, Chairman.

TWENTY-NINTH DAY.

Senate Chamber,
Austin Texas,

Tuesday, February 21, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barret.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Davidson.	Looney.
Decker.	Martin.
Faulk.	McKamy.
Faust.	Skinner.
Glasscock.	Smith.
Griggs.	Stafford.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Chambers.	Meachum.
Hale.	Paulus.
Hill.	Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Friday, on motion of Senator Skinner the same was dispensed with.

EXCUSED.

Senator Glasscock moved that Senator Hill be excused from attendance upon the Senate for this week, on account of business and

Senator Hanger amended the motion by making it for today.

The motion prevailed and the Senator was excused for today.

On motion of Senator Faulk, Senator Stokes was excused from attendance upon the Senate for today on account of sickness.

(See appendix for standing committee reports.)

BILLS AND RESOLUTIONS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign in the presence of the Senate after their captions had been read.

Senate bill No. 9, a bill to be entitled "An Act to amend Title LXII, Chapters 4 and 5, of the Revised Civil Statutes of the State of Texas, relating to the proceedings of jury commissioners in the selection of jurors; providing for enlarging and extending the duties of the said commissioners; limiting the number of times which any citizen may be compelled to answer summons to a special venire facias; determining the manner in which notice shall be given, etc.; also amending Title VIII, Chapter 2, of the Code of Criminal Procedure of the State of Texas, so as to conform to the provisions of this act."

Senate bill No. 36, a bill to be entitled "An Act to authorize the Supreme Court and the several justices thereof, to issue writs of habeas corpus in certain cases."

Senate bill No. 37, a bill to be entitled "An Act to amend Title XXX, Chapter 17, Article 1371, Revised Civil Statutes of Texas, providing for hearing certain evidence on motions for new trials, and prescribing when new trials thereon should be granted, and also in regard to contempt proceedings."

Senate bill No. 31, a bill to be entitled "An Act authorizing the appointment of temporary guardians of minors and their estates, regulating their duties and requirements, and the practice in relation thereto."

House concurrent resolution No. 8, inviting the President of the United States to the city of Austin.

House concurrent resolution No. 9, endorsing the action of Congress in voting for bill to increase the powers of the Interstate Commission, etc.

(See Journal of Feb. 15 for resolution in full.)

Senate bill No. 25, a bill to be entitled "An Act to amend Article 1012, Title XXVII, Chapter 14, Revised Civil Statutes of 1895, as amended by act approved April 17, 1899, of the Twenty-sixth Legislature, regular session, relating to the employment of stenographers by the Courts of Civil Appeals."

Senate bill No. 62, a bill to be entitled, "An Act to amend Article 34, Penal Code of Texas, permitting persons under the age of nine years to be punished for the offense of perjury.